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Attorneys for Plaintiffs
TRACY ANDERSON MIND AND BODY, LLC and
T.A. STUDIO NEW YORK LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TRACY ANDERSON MIND AND BODY, LLC, a Delaware limited liability company; and T.A. STUDIO NEW YORK LLC, a California limited liability company,

Plaintiffs,

V.

MEGAN ROUP, an individual; and
THE SCULPT SOCIETY, LLC, a
California limited liability company,

Defendants.

Case No. 2:22-cv-04735-PSG-E

Hon. Philip S. Gutierrez

**JOINT STIPULATION FOR
DISMISSAL WITH PREJUDICE OF
CONTRACT CLAIM; REQUEST
FOR ENTRY OF FINAL
JUDGMENT**

[Filed concurrently with: [Proposed] Judgment in Favor of Defendants]

Complaint Filed: July 11, 2022
FAC Filed: Sept. 13, 2022
Trial Date: Nov. 14, 2024

1 Plaintiffs Tracy Anderson Mind and Body, LLC (“TAMB”) and T.A. Studio
2 New York LLC (“TANY”, collectively, “Plaintiffs”) and Defendants Megan Roup
3 (“Roup”) and The Sculpt Society, LLC (“TSS”, collectively, “Defendants”, and
4 together with Plaintiffs, the “Parties”), by and through their respective counsel of
5 record, hereby stipulate as follows:

6 WHEREAS, Plaintiffs filed this action against Defendants on July 11, 2022,
7 and a First Amended Complaint on September 13, 2022, alleging causes of action
8 for (1) Federal Copyright Infringement, 17 U.S.C. §§ 106, 501 (“Copyright
9 Claim”); (2) violation of Lanham Act, 15 U.S.C. § 1125(a) (“Lanham Act Claim”);
10 (3) breach of contract (“Contract Claim”); and (4) Violation of Unfair Competition
11 Law, Cal. Bus. & Prof. Code § 17200, *et seq.* (“Unfair Competition Claim”);

12 WHEREAS, Defendants have contested Plaintiffs’ claims and denied any
13 liability or wrongdoing;

14 WHEREAS, on June 12, 2023, the Court dismissed with prejudice Plaintiffs’
15 Lanham Act and Unfair Competition Claims (Dkt. 31, the “Dismissal Order”);

16 WHEREAS, on June 12, 2024, the Court granted Defendants’ motion for
17 summary judgment as to the Copyright Claim and denied Defendants’ motion for
18 summary judgment as to the Contract Claim (Dkt. 100, the “Summary Judgment
19 Order”);

20 WHEREAS, by separate agreement, the Parties have resolved the Contract
21 Claim and have agreed that the Contract Claim shall be dismissed with prejudice;
22 and have agreed that TAMB will appeal the final judgment only as to the Copyright
23 Claim; and

24 WHEREAS, the Parties stipulate to the entry of final judgment in this action
25 against Plaintiffs and in favor of Defendants as to the Lanham Act claim, Unfair
26 Competition Claim, and Copyright Claim, consistent with the Dismissal Order
27 (Dkt. 31) and Summary Judgment Order (Dkt. 100) (as to the Copyright Claim).

1 NOW THEREFORE, the Parties hereby stipulate and agree as follows:

2 1. Final Judgment shall be entered against Plaintiffs and in favor of
3 Defendants in the form of the proposed final Judgment submitted concurrently
4 herewith;

5 2. In any appeal Plaintiffs may take from this Final Judgment, Plaintiffs
6 agree to limit their appeal to the Copyright Claim and will not challenge the
7 disposition of the other claims; and

8 3. The Court shall maintain jurisdiction over the Parties to enforce any
9 terms of the Parties' separate agreement, as may become necessary.

10 IT IS SO STIPULATED.

11 Dated: October 14, 2024

DLA PIPER LLP (US)

13 By: /s/ Gina L. Durham

14 Gina L. Durham
Kristina Fernandez Mabrie

16 *Attorneys for Plaintiffs*

17 Dated: October 14, 2024

MANATT, PHELPS & PHILLIPS, LLP

19 By: /s/ Nathaniel L. Bach

20 Christopher Chatham
Nathaniel L. Bach
Sarah E. Moses
Andrea D. Gonzalez

23 *Attorneys for Defendants*

SIGNATURE OF CERTIFICATION

Pursuant to Civil L.R. 5-4.3.4(a)(2)(i), the filer attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: October 14, 2024

/s/ Gina L. Durham

Gina L. Durham